

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

FILED
NOV 13 2009

CLERK

UNITED STATES OF AMERICA,

* CR. 09-30026-RAL

Plaintiff,

-vs-

PHILLIP C. RUNNING,

* REPORT AND RECOMMENDATION
* FOR DISPOSITION OF DEFENDANT'S
* MOTION TO SUPPRESS STATEMENTS

Defendant.

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Defendant, Phillip C. Running, has filed a Motion to Suppress Statements, Docket No.

15. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the November 12, 2009 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

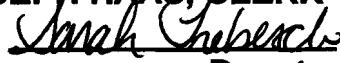
Dated this 12th day of November, 2009, at Pierre, South Dakota.

BY THE COURT:



MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK
BY: 
Deputy

(SEAL)

NOTICE

Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within ten (10) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).